

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Poojan Thakrar,

Case No. 24-CV-01901 (JMB/DJF)

Plaintiff,

v.

ORDER

StockX, LLC,

Defendant.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Dulce J. Foster dated June 17, 2024. (Doc. No. 4.) The R&R recommends that self-represented Plaintiff Poojan Thakrar's Complaint against Defendant StockX, LLC (Doc. No. 1) be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b) due to Thakrar's failure to timely pay the filing fee for this action or to file an application to proceed *in forma pauperis* that would entitle him to proceed without doing so by a deadline previously ordered. (*See* Doc. No. 4; *see also* Doc. No. 3.) Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). The Court has reviewed the R&R and finds no such error. *See, e.g., Wewerka v. Roper*, 431 Fed. App'x 517 (8th Cir. 2011) (finding no abuse of discretion where Court dismissed action under Rule 41(b) where plaintiff did not pay filing fee as ordered when plaintiff had

means to do so); *Henderson v. Renaissance v. Grand Hotel*, 267 Fed. App'x 496 (8th Cir. 2008) (affirming district court's dismissal without prejudice of self-represented plaintiff's complaint under Rule 41(b) for failure to comply with court order).

Therefore, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 4) is ADOPTED.
2. Plaintiff Poojan Thakrar's Complaint (Doc. No. 1) is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 24, 2024

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court